

### **Remarks/Arguments**

Claims 1-7, 10-28 are pending in the application. Claims 1, 13, 21, 25, 26, and 27 have been amended herein. Claims 8 and 9 have been canceled herein without prejudice. Favorable reconsideration of the application, as amended, is respectfully requested.

#### **I. REJECTIONS OF CLAIMS 14, 15, AND 24 UNDER 35 U.S.C. § 112**

Claims 14, 15, and 24 stand rejected under 35 U.S.C. § 112, second paragraph due to an antecedent basis issue. Claims 14, 15, and 24 have been amended to address this issue. Withdrawal of the rejections is respectfully requested.

#### **II. REJECTIONS OF CLAIMS 1-28 UNDER 35 U.S.C. §§ 102 AND 103**

Claims 1, 4, 5, 13-15, 17-20, 25, and 26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,487,104 (“Baals”). Claims 1-3, 6-11, 21, 22, 24, and 27 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,370,149 (“Gorman”). Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable based on combination of Gorman and U.S. Patent No. 6,222,520 (“Gerszberg”). Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable based on combination of Gorman and U.S. Patent No. 5,937,347 (“Gordon”). All pending claims are believed to be allowable for at least the following reasons. Withdrawal of the rejection is respectfully requested.

The inventions defined in independent claims 1, 13, 21, and 25-27 are related to a method, a data structure, and a computer-readable medium for displaying a soft key label or processing a selection made from a menu in general. Independent claims 1, 13, 21, and 25-27 have been amended herein to further clarify pertinent features of the invention. Independent claim 1 recites creating a message based on a menu selection, passing the message to a menu processing object, and creating an event based on the menu selection by the menu processing object. Claim 1 further requires, *inter alia*, that “the event is associated with a soft key, and the event is processed by a call manager object which resides outside the telephone.” According to an exemplary embodiment of the invention, processing a soft key event outside the telephone allows the telephone to download a remote soft key set from a call manager module located on a separate server. See, for example, page 23, lines 3-22 of the present specification.

Other independent claims 13, 21, and 25-27 have recitations similar to those of claim 1. For example, independent claim 13 recites “retrieving a soft key label set based on the particular context from a call manager object which resides outside the telephone.” The limitations added to independent claims are originally recited in claims 8 and 9. Additionally, support for the

amendments to the claims is found at, for example, page 23, line 23 - page 25, line 2 of the present specification. Thus, no new matter has been introduced by the amendments.

None of the cited references, either alone or in combination, teach or suggest the above-identified aspects of the invention recited in independent claims 1, 13, 21, and 25-27, i.e., a soft key related event is processed by a call manager object which resides outside the telephone, or retrieving a soft key label set from a call manager outside the telephone for at least the following reasons.

For example, the Examiner cited column 3, lines 15-25 of Gorman in rejecting claims 8 and 9. This portion describes a telephone network in general, in which telephone subscribers 10 are serviced by analog telephone lines carried to the central office 20 by a subscriber loop 12. In short, this portion of Gorman merely shows a general notion of analog/digital subscriber lines. There is no description in Gorman about a soft key process/label processed/retrieved from outside a telephone. It is respectfully submitted that other cited references also fail to teach or suggest the claimed soft key function retrieved/processed outside a telephone. Therefore, independent claims 1, 13, 21, and 25-27 are believed to be patentable over the cited art.

The Examiner's rejections of the dependent claims are respectfully traversed. However, to expedite prosecution, all of these claims will not be argued separately. Other claims each depend either directly or indirectly from independent claims 1, 13, 21, and 25-27, and therefore, are respectfully submitted to be patentable over cited art for at least the reasons set forth above with respect to claims 1, 13, 21, and 25-27.

### III. CONCLUSION

Applicant believes that all pending claims are in condition for allowance, and respectfully requests a Notice of Allowance at an early date. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 510-843-6200, ext. 245.

Respectfully submitted,  
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Limited Recognition under 37 CFR § 10.9(b)

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